

12-03-01

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sequence**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
3578-120Total Pages in this Submission  
55**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**POLYPEPTIDES AND THEIR USES**

and invented by:

**Radmilla Mileusnic and Steven Peter Russell Rose**JC979 U.S. PTO  
09/998491

11/30/01

Is a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 32 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☐ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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## Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)

a. ☐ Formal      b. ☒ Informal      Number of Sheets Seven (7)

4. ☒ Oath or Declaration

a. ☐ Newly executed (original or copy)      ☒ Unexecuted

b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)

c. ☐ With Power of Attorney      ☐ Without Power of Attorney

d. ☐ DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).

5. ☐ Incorporation By Reference (usable if Box 4b is checked)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Computer Program in Microfiche

7. ☒ Genetic Sequence Submission (if applicable, all must be included)

a. ☒ Paper Copy

b. ☒ Computer Readable Copy

c. ☒ Statement Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

8. ☐ Assignment Papers (cover sheet & documents)

9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)

10. ☐ English Translation Document (if applicable)

11. ☐ Information Disclosure Statement/PTO-1449      ☐ Copies of IDS Citations

12. ☐ Preliminary Amendment

13. ☒ Acknowledgment postcard

14. ☒ Certificate of Mailing

☐ First Class      ☒ Express Mail (Specify Label No.): EL 884478386 US

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**Accompanying Application Parts (Continued)**

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☐ Small Entity Statement(s) - Specify Number of Statements Submitted: \_\_\_\_\_
17. ☐ Additional Enclosures *(please identify below)*:

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

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**(Small Entity)**

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19. Applicant hereby claims small entity status.

**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	35	- 20 =	15	x \$9.00	\$135.00
Indep. Claims	7	- 3 =	4	x \$42.00	\$168.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$370.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$673.00

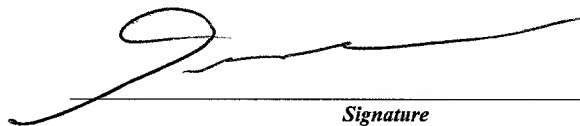
- ☒ A check in the amount of \$673.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 50-0573 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: November 30, 2001



23973

PATENT TRADEMARK OFFICE



Signature

DANIEL A. MONACO, Reg. No. 30,480  
DRINKER BIDDLE & REATH LLP  
One Logan Square  
18th & Cherry Streets  
Philadelphia, PA 19103-6996  
Tel. (215) 988-2700 Fax. (215) 988-2757

CC:

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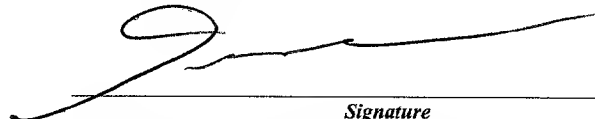
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18th & Cherry Streets  
Philadelphia, PA 19103-6996  
Tel. (215) 988-2700 Fax. (215) 988-2757

cc:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Radmilla MILEUSNIC and Steven Peter Russell ROSE

Application No.: Unassigned

For: **POLYPEPTIDES AND THEIR USES**

**CERTIFICATE OF MAILING  
VIA EXPRESS MAIL**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I hereby certify that the attached New U.S. Patent Application (and accompanying papers) is being deposited with the "Express Mail Post Office to Addressee" service of the United States Postal Service in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, Box Patent Application on November 30, 2001.

The number of the "Express Mail" mailing label has been placed on the accompanying correspondence prior to mailing. It is therefore respectfully requested that the attached be considered as having been filed in the Office on the date shown above in accordance with the provisions of 37 C.F.R. 1.10.

Respectfully submitted,

Date:

Nov. 30, 2001

Name

Deresa A. B. Durham



23973

PATENT TRADEMARK OFFICE

PATENT

Attorney Docket No.: 3578-120

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

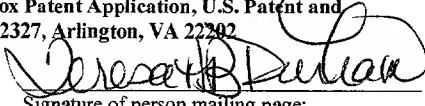
In re: Patent application of :  
Radmilla Mileusnic et al. :  
Serial No.: not yet assigned : Group Art Unit:  
not yet assigned :  
Filed: herewith : Examiner:  
not yet assigned :  
For: POLYPEPTIDES AND THEIR USES :

**Statement Under 37 C.F.R 1.821(f)**


Commissioner for Patents  
Box Patent Application  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Sir:

The undersigned hereby states that the sequence listing information recorded in computer readable form, and submitted herewith, is identical to written (paper copy)

<p align="center"><b>CERTIFICATE OF MAILING</b> <b>UNDER 37 C.F.R. 1.10</b></p> <p>EXPRESS MAIL Mailing Label Number: <u>EL 884478386 US</u> Date of Deposit: <u>11/30/01</u></p> <p>I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, and/or fee, is being deposited with the United States Postal Service, "EXPRESS MAIL-POST OFFICE TO ADDRESSEE" service under 37CFR.1.10, on the date indicated above, and addressed to: Commissioner for Patents, Box Patent Application, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202</p> <p align="center"> Signature of person mailing page:</p> <p align="center"><u>Teresa AB Durham</u> Type or print name of person</p>
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sequence listing filed with the above-referenced patent application.

BY   
DANIEL A. MONACO  
Registration No. 30,480  
*Attorney for Applicants*